

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Northern District of New York

Case number (if known): _____ Chapter 15

☐ Check if this is an amended filing

Official Form 401

Chapter 15 Petition for Recognition of a Foreign Proceeding

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name

Paul Harris Benjamin

2. Debtor's unique identifier

For non-individual debtors:

☐ Federal Employer Identification Number (EIN) _____

☐ Other _____ Describe identifier _____

For individual debtors:

☐ Social Security number: xxx - xx- _____

☐ Individual Taxpayer Identification number (ITIN): 9 xx - xx - _____

☒ Other xxx-xxx-152 Describe identifier Canadian Social Security #

3. Name of foreign representative(s)

Houle Roy S.A., Trustee to the Bankruptcy of Paul H. Benjamin, by Mathieu Roy

4. Foreign proceeding in which appointment of the foreign representative(s) occurred

In the Matter of the Bankruptcy of Paul Harris Benjamin, # 41-2369601

5. Nature of the foreign proceeding

Check one:

☒ Foreign main proceeding

☐ Foreign nonmain proceeding

☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

☐ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.

☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.

☒ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.
Notice to creditors of the Appointment of Houle Roy S.A. as Trustee, issued by the Superintendent of Bankruptcy

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

☐ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)

☒ Yes

Debtor Paul Harris Benjamin
Name

Case number (if known) _____

8. Others entitled to notice

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

9. Addresses

Country where the debtor has the center of its main interests:

Canada

Debtor's registered office:

9600 Jean-Milot Villa

Number Street

P.O. Box

LaSalle, Quebec H8R1X7

City State/Province/Region ZIP/Postal Code

Canada

Country

Individual debtor's habitual residence:

211 Sydney Cunningham

Number Street

P.O. Box

Beaconsfield, Quebec, H9W6E4

City State/Province/Region ZIP/Postal Code

Canada

Country

Address of foreign representative(s):

468A Notre-Dame Street

Number Street

P.O. Box

Repentigny, Quebec J6A2T

City State/Province/Region ZIP/Postal Code

Canada

Country

10. Debtor's website (URL)

N/A

11. Type of debtor

Check one:

☐ Non-individual (check one):

☐ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.

☐ Partnership

☐ Other. Specify: _____

☒ Individual

Debtor Paul Harris Benjamin
Name

Case number (if known) _____

12. Why is venue proper in this district?

Check one:

- ☒ Debtor's principal place of business or principal assets in the United States are in this district.
- ☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:
- _____
- ☐ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:
- _____

13. Signature of foreign representative(s)

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct,

x

Signature of foreign representative

Houle Roy S.A., Trustee by Mathieu Roy
Printed name

Executed on

11/22/2019
MM / DD / YYYY

x

Signature of foreign representative

Printed name

Executed on

MM / DD / YYYY

14. Signature of attorney

x

Signature of Attorney for foreign representative

Date 12/09/2019
MM / DD / YYYY

Lee E Woodard

Printed name

Harris Beach, PLLC

Firm name

333 West Washington Street Suite 200

Number Street

Syracuse

City

NY

State

13202

ZIP Code

(315) 214-2010

Contact phone

lwoodard@harrisbeach.com

Email address

1845304

Bar number

NY

State



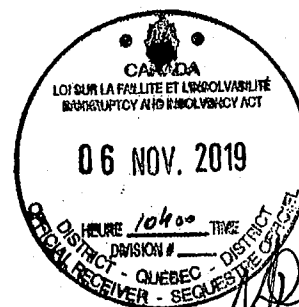
Industrie Canada

Bureau du surintendant
des faillites Canada

Industry Canada

Office of the Superintendent
of Bankruptcy Canada

District of: Québec
Division No.: 01 - Montreal
Court No.: 500-11-054457-185
Estate No.: 41-2369601



In the Matter of the Bankruptcy of:

Paul Harris BENJAMIN
Debtor

HOULE ROY
Licensed Insolvency Trustee

Ordinary Administration

CERTIFICATE OF AFFIRMATION OF SUBSTITUTION - Subsection 41(11)

I, the undersigned, Official Receiver in and for this Bankruptcy District, do hereby certify that:

- on Jun 8th, 2018, an Order of the Court was issued, appointing the said Trustee pursuant to Section 41(11) of the Bankruptcy and Insolvency Act, Substitute Trustee of the estate of the aforesaid Debtor.

The said Substitute Trustee is required:

- to provide to me, without delay, security in the amount of NUL (Sec. 16(2));
- to take immediate possession of all remaining property of the estate, together with all books, records, deeds and documents of the estate and of the administration.

E-File/Dépôt Electronique

Date: June 12, 2018, 9:00

Official Receiver

Sun Life Building, 1155 Metcalfe Street, Suite 950, Montréal, Québec, Canada, H3B2V6, (877)376-9902

Canada

Harris Beach PLLC
Lee E. Woodard, Esq.
333 West Washington Street, Suite 200
Syracuse, NY 13202
Telephone: (315) 423-7100
Attorneys for Houle Roy, S.A.
In its Capacity as Trustee and Foreign Representative for the Debtor

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In re:	Chapter 15
PAUL HARRIS BENJAMIN,	Case No.
Debtor in a Foreign Proceeding.	


**STATEMENT IDENTIFYING FOREIGN
PROCEEDINGS PURSUANT TO 11 U.S.C. § 1515(c)**

Houle Roy, S.A. (the “Trustee”) is the Canadian Bankruptcy Court appointed Trustee for Paul Harris Benjamin (“Debtor”) in a proceeding (the “Canadian Proceeding”) under Section 41(11) of the *Bankruptcy and Insolvency Act* of Canada, pending in file number 500-11-054457-185 before the Superior Court of Quebec (the “Canadian Bankruptcy Court”), in the District of Montreal (Commercial Division). The Trustee is the duly authorized foreign representative of the Debtor as defined by section 101(24) of title 11 of the United States Code (the “Bankruptcy Code”). On December 9, 2019, the Trustee commenced this Chapter 15 case (the “Chapter 15 Case”) by filing, on behalf of the Debtor and pursuant to sections 1504 and 1515 of the Bankruptcy Code, the *Verified Chapter 15 Petition for Recognition of Foreign Main Proceeding and Related Relief* along with the Official Form 401 (*Chapter 15 Petition for Recognition of a Foreign Proceeding*).

Pursuant to section 1515(c) of the Bankruptcy Code, the Trustee respectfully represents that the Canadian Proceeding is the only foreign proceeding (as such term is defined in section 101(23) of the Bankruptcy Code) pending with respect to the Debtor that is known to the Trustee.

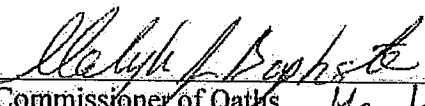
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

AND I HAVE SIGNED:



Mathieu Roy
Houle Roy, S.A.
Trustee of Paul Harris Benjamin

Solemnly affirmed before at Montreal,
this 05 day of December, 2019



Commissioner of Oaths Me Malika Jean-Baptiste
(309867-2 Bar of Québec)

Harris Beach PLLC
Lee E. Woodard, Esq.
333 West Washington Street, Suite 200
Syracuse, NY 13202
Telephone: (315) 423-7100
Attorneys for Houle Roy, S.A.
In its Capacity as Trustee and Foreign Representative for the Debtor

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In re:	Chapter 15
PAUL HARRIS BENJAMIN,	Case No.
Debtor in a Foreign Proceeding.	

LIST PURSUANT TO BANKRUPTCY RULE 1007(a)(4)

Houle Roy, S.A. (the "Trustee") is the Canadian Bankruptcy Court appointed Trustee for Paul Harris Benjamin ("Debtor") in a proceeding (the "Canadian Proceeding") under Section 41(11) of the *Bankruptcy and Insolvency Act* of Canada, pending in file number 500-11-054457-185 before the Superior Court of Quebec (the "Canadian Bankruptcy Court"), in the District of Montreal (Commercial Division). The Trustee is the duly authorized foreign representative of the Debtor as defined by section 101(24) of title 11 of the United States Code (the "Bankruptcy Code"). On December 9, 2019, the Trustee commenced this Chapter 15 case (the "Chapter 15 Case") by filing, on behalf of the Debtor and pursuant to sections 1504 and 1515 of the Bankruptcy Code, the *Verified Chapter 15 Petition for Recognition of Foreign Main Proceeding and Related Relief* along with the Official Form 401 (*Chapter 15 Petition for Recognition of a Foreign Proceeding*).

The Trustee hereby files this list pursuant to Rule 1007(a)(4) of the Federal Rules of Bankruptcy Procedures and respectfully states as follows:

Administrators in Foreign Proceeding Concerning the Debtor

1. The Trustee is the foreign representative, as that term is defined in section 101(24) of the Bankruptcy Code, because it has been authorized by court order in the Canadian Proceeding to act as the foreign representative for the Debtor pursuant to the Certificate of Affirmation of Substitution dated June 12, 2018 (the "Canadian Appointment of Trustee").

2. The Trustee believes that, other than the Canadian Proceeding and this Chapter 15 Case, there are no foreign proceedings pending with respect to the Debtor.

3. The Trustee's address is:

468A Notre-Dame Street
Repentigny, Quebec, J6A2T5
Canada

Parties to Litigation Pending in the United States in Which the Debtor is a Party

4. There is currently one (1) case in the United States, to the Trustee's knowledge, in which the Debtor is a party. The Debtor is a defendant in a foreclosure action in the Supreme Court of the State of New York, County of St. Lawrence, with Index Number EFCV-19-155100, captioned *Heritage Bank v. Paul H. Benjamin et al.* (the "State Court Case"). A motion for default judgment, summary judgment, collection of rent, appointment of rent receiver, and related relief (the "Motion for Default") is currently set to be heard in the State Court Case on January 10, 2020.

5. Upon information and belief, no answer to the State Court Case has been interposed by the BMA Partnership or the Debtor.

Entities Against Which Provisional Relief is Sought Pursuant to 11 U.S.C. § 1519

6. The Trustee seeks provisional relief on behalf of the Debtor to stay the execution of assets of the Debtor and the application of section 362 of the Bankruptcy Code in the Debtor's

Chapter 15 Case on a provisional basis, against all known creditors of the Debtor and other interested parties, including without limitation, the following persons/entities:

a) Mr. Mathieu Roy
468A Notre-Dame Street
Repentigny, Quebec, J6A2T5
Canada

b) Howard Hoppenheim, Esq.
1214 Greene Ave.
Westmount, Quebec, H3Z2A3
Canada

c) Heritage Bank
210 Fifth Ave. SW
Olympia, Washington 98501

and

Counsel to Heritage Bank:
Davis Wright Tremaine, LLP
Attn: John M. Magliery, Esq.
1251 Avenue of the Americas, 21st Floor
New York, New York 10020

d) Benjamin Murphy Associates
20 Depot Street
Potsdam, New York 13676

e) Edward F. Murphy
20 Depot Street
Potsdam, New York 13676

f) Paul H. Benjamin
211 Sydney Cunningham
Beaconsfield, Quebec H9W6E4
Canada

g) John Benjamin
260 Sherbrooke Street East, Suite 522
Montreal, Quebec H2X1E1
Canada

and

John Benjamin
c/o Benjamin News, Inc.
9600 Jean-Milot Villa
LaSalle, Quebec H8R1X7
Canada

- h) Benjamin Distribution, Inc.
101 Henry Bessemer
Quebec, Bois Des Filion J6Z4S9
Canada
- i) Laundry Center
20 & 22 Depot Street
Potsdam, New York 13676
- j) Two Degrees North
20 & 22 Depot Street
Potsdam, New York 13676
- k) Bark Avenue
20 & 22 Depot Street
Potsdam, New York 13676
- l) Village Diner
20 & 22 Depot Street
Potsdam, New York 13676
- m) Ikon Office
20 & 22 Depot Street
Potsdam, New York 13676
- n) Bruce Rogers
20 & 22 Depot Street
Potsdam, New York 13676
- o) Kelly Services
20 & 22 Depot Street
Potsdam, New York 13676
- p) ARC Retail
20 & 22 Depot Street
Potsdam, New York 13676
- q) Antiques Etc.
20 & 22 Depot Street
Potsdam, New York 13676

- r) Lionlamb
20 & 22 Depot Street
Potsdam, New York 13676
- s) United States Geological Survey
20 & 22 Depot Street
Potsdam, New York 13676
- t) SLC ARC
20 & 22 Depot Street
Potsdam, New York 13676
- u) MacFadden-Dier Insurance
20 & 22 Depot Street
Potsdam, New York 13676
- v) Barbershop
20 & 22 Depot Street
Potsdam, New York 13676
- w) The Look
20 & 22 Depot Street
Potsdam, New York 13676
- x) Magic Comb
20 & 22 Depot Street
Potsdam, New York 13676
- y) Inspired Healing
20 & 22 Depot Street
Potsdam, New York 13676
- z) Potsdam U Store
20 & 22 Depot Street
Potsdam, New York 13676
- aa) N. Country Dental
20 & 22 Depot Street
Potsdam, New York 13676
- bb) Jazzercise
20 & 22 Depot Street
Potsdam, New York 13676


- cc) Brooks Washburn, AIA
20 & 22 Depot Street
Potsdam, New York 13676
- dd) Crawford Technologies
20 & 22 Depot Street
Potsdam, New York 13676
- ee) St. Lawrence Oral Surgery
20 & 22 Depot Street
Potsdam, New York 13676
- ff) St. Lawrence County
20 & 22 Depot Street
Potsdam, New York 13676
- gg) Health Services
20 & 22 Depot Street
Potsdam, New York 13676
- hh) Family Dollar
145 ½ Market Street
Potsdam, New York 13676
- ii) North Woods Dental
145 ½ Market Street
Potsdam, New York 13676
- jj) T&R Wine
145 ½ Market Street
Potsdam, New York 13676
- kk) Tomra
145 ½ Market Street
Potsdam, New York 13676
- ll) CJ's Kegs Cases & More
145 ½ Market Street
Potsdam, New York 13676
- mm) Kerms Salon
145 ½ Market Street
Potsdam, New York 13676

- nn) Tri-Town Cleaners
145 ½ Market Street
Potsdam, New York 13676
- oo) The Laundry Center III
145 ½ Market Street
Potsdam, New York 13676
- pp) Sapp Martial Arts
145 ½ Market Street
Potsdam, New York 13676
- qq) Lifeplan
145 ½ Market Street
Potsdam, New York 13676
- rr) Thiftique
145 ½ Market Street
Potsdam, New York 13676
- ss) Canton-Potsdam Hospital
145 ½ Market Street
Potsdam, New York 13676
- tt) Green Jam LLC
145 ½ Market Street
Potsdam, New York 13676
- uu) Sunoco
145 ½ Market Street
Potsdam, New York 13676
- vv) Kidz Klozet & More
145 ½ Market Street
Potsdam, New York 13676

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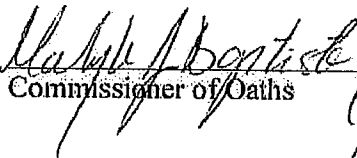
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

AND I HAVE SIGNED:



Mathieu Roy
Houle Roy, S.A.
Trustee of Paul Harris Benjamin

Solemnly affirmed before at Montreal,
this 05 day of December, 2019



Commissioner of Oaths

(Me Mathieu Roy Jean-Baptiste
(#309867-2 Bar of Québec)